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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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SAN JOSE DIVISION

10

UNITED STATES OF AMERICA,) No. CR 05-00763 JW
11)
12 Plaintiff,) **STIPULATION TO CONTINUE
13 v.) HEARING AND EXCLUDE TIME;
14 DARIO GONZALEZ-FAVELA,) **[PROPOSED] ORDER**
15 Defendant.)**

16

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Monday, October 30, 2006, should be continued to December 4, 2006. The defense requests the continuance because the defense requires additional time to conduct defense investigation.

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The parties further agree that time should be excluded under the Speedy Trial Act from October 30, 2006, to December 4, 2006, because the defense requires time for investigation and preparation, and the ends of justice outweigh the defendant's and the public's need for a speedy trial.

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25 Dated: 10/26/06

/s/
LARA S. VENNARD
Assistant Federal Public Defender

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STIPULATION TO CONTINUE
HEARING DATE; **[PROPOSED]** ORDER
No. CR 05-00763 JW

1 Dated: 10/26/06

2 /s/
3 SUSAN KNIGHT
Assistant United States Attorney

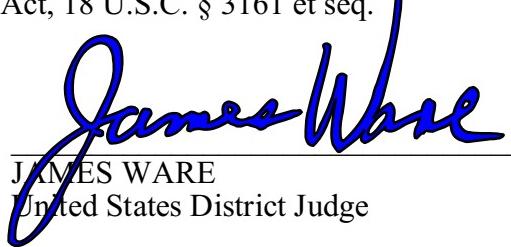
4 **ORDER**

5 The parties have jointly requested a continuance of the hearing set for Monday, October
6 30, 2006, on grounds that the defense requires additional time for preparation, and the
7 government requires time to consider a settlement offer.

8 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
9 presently set for October 30, 2006, be continued to December 4, 2006, at ~~9:00 a.m.~~
10 1:30 PM

11 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
12 from October 30, 2006 to December 4, 2006, shall be excluded from the period of time within
13 which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

14 Dated: 10/26/2006

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JAMES WARE
United States District Judge